

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

Court File No. 21-1348

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KRISTIN WORTH, et al.,

Plaintiffs,

v.

JOHN HARRINGTON, in his
individual capacity and in his official
capacity as Commissioner of the
Minnesota Department of Public
Safety et al.,

Defendants.
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VIDEOTAPED ZOOM DEPOSITION OF
DR. JOHN J. DONOHUE III
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Taken March 28, 2022 By Kelly A. Herrick

00:49:27 1 decision about gun carrying.

00:49:30 2 And so for that reason, you know,
00:49:34 3 it's a very, very safe assumption that
00:49:37 4 people in this age group, as a whole, cannot
00:49:43 5 make sensible decisions about carrying
00:49:48 6 weapons.

00:49:49 7 Q. Okay. But the question I asked is: What
00:49:52 8 percentage of 18- to 20-year-old females are
00:49:55 9 impulsive, immature, and prone to making
00:49:57 10 poor or unreasoned decisions? I think you
00:50:00 11 said it was 50 to 60 percent for males, and
00:50:03 12 I'm just wondering what that percentage is
00:50:05 13 for females without regard to the reason for
00:50:08 14 it or anything like that.

00:50:09 15 A. Yeah, so for the 50 to 60 percent, I was
00:50:13 16 suggesting those are people with
00:50:16 17 incapacities of some sort that we can
00:50:18 18 identify to either mental illness, some sort
00:50:23 19 of mental disorder, just inadequate
00:50:28 20 cognitive development, also drug abuse and
00:50:35 21 addiction. It is somewhat lower.

00:50:40 22 But the other 40 percent are no --
00:50:42 23 no prizes when it comes to evaluating risk,
00:50:48 24 and so the percentage of males that I would
00:50:51 25 put in this category as unable to make

00:50:54 1 sensible determinations is very large, same
00:51:00 2 for women, but exactly what that total
00:51:03 3 percentage is is a little bit harder to
00:51:06 4 know.

00:51:06 5 But we do know that, in general,
00:51:11 6 women of this age group are less criminally
00:51:17 7 violent and are, you know, less prone to the
00:51:20 8 risky behavior that men -- but they still
00:51:23 9 have all of these incapacities that I was
00:51:27 10 alluding to earlier on the -- you know, the
00:51:30 11 national surveys of 18-to-20-year-olds that
00:51:34 12 showed how wildly inaccurate they are in
00:51:37 13 understanding the risks that they face.

00:51:41 14 Q. Do those surveys ask older individuals about
00:51:44 15 their risk of dying in the next year?

00:51:47 16 A. Yes, they do.

00:51:50 17 Q. So what -- for example, 21-to-24-year-olds,
00:51:53 18 what was their response?

00:51:55 19 A. Yeah, I don't have that right in front of
00:51:58 20 me, but, in general, as you can older, their
00:52:04 21 responses on that category are good.

00:52:06 22 But you're right that most
00:52:10 23 Americans are quite poor at estimating the
00:52:17 24 risks that they will be a victim of crime
00:52:20 25 and wildly overexaggerate that risk.

00:52:25 1 So probably 18-to-20 -- well,
00:52:28 2 certainly 18-to-20-year-olds are worse, but
00:52:33 3 most Americans are quite poor in making that
00:52:36 4 judgment in a way that they would not be
00:52:39 5 poor for other assessments. Like, what's
00:52:41 6 the risk that I'll lose my job in the next
00:52:42 7 year? People are pretty accurate in risk
00:52:45 8 estimating that risk.

00:52:48 9 But, you know, in part it would be,
00:52:51 10 you know, the value that the gun lobby would
00:52:57 11 have in misleading people on the risks that
00:53:00 12 they face because, of course, that helps the
00:53:03 13 sale of guns.

00:53:05 14 So we live in a world in the
00:53:07 15 United States where there are very strong
00:53:10 16 economic and political groups that are
00:53:15 17 trying to mislead people and they've done a
00:53:18 18 very effective job of that.

00:53:20 19 Q. Has there been any work done on exposure to
00:53:23 20 gun advertisements and assessment of risk of
00:53:25 21 being a victim of a violent crime?

00:53:32 22 A. You know, I -- I don't know the -- the
00:53:42 23 narrow focus on gun advertisements, but you
00:53:46 24 can look at the empirical research on
00:53:49 25 misassessments of crime and criminal risk,

01:54:51 1 look at it.

01:54:52 2 Q. That's okay. I'll go to another -- I had
01:54:54 3 another question on this one. I'm trying to
01:54:57 4 get the page number right here. Okay.

01:55:03 5 Okay. So 863, this is the end of
01:55:08 6 the paper, kind of in the middle of this
01:55:10 7 paragraph, it says that, "The frontal and
01:55:13 8 parietal gray matter peaks approximately one
01:55:16 9 year earlier in females corresponding with
01:55:20 10 the earlier age of onset of puberty, suggest
01:55:22 11 a possible influence of gonadal hormones.

01:55:29 12 Now --

01:55:30 13 MS. PRUTZMAN: Where is that on
01:55:32 14 this page?

01:55:33 15 MR. PATTERSON: It's -- let me see.
01:55:34 16 I don't know if I can highlight here. Right
01:55:37 17 here. I can't highlight, but it's -- do you
01:55:40 18 see it here, kind of about the second full
01:55:41 19 sentence on this page?

01:55:44 20 MS. PRUTZMAN: Yeah, got it,
01:55:44 21 thanks.

22 BY MR. PATTERSON:

01:55:45 23 Q. Okay. So does the fact that gray matter
01:55:50 24 peaks earlier for females -- would it
01:55:54 25 support females being allowed to carry

01:55:55 1 firearms at an earlier age than males all
01:55:58 2 else being equal?

01:56:03 3 MS. PRUTZMAN: Object as to form.

01:56:07 4 THE WITNESS: Yeah, so there are --
01:56:09 5 there are a couple of issues that -- in
01:56:19 6 general, if you were -- if your public
01:56:22 7 policy view was you want to keep guns away
01:56:29 8 from people who are most dangerous, then we
01:56:33 9 would almost certainly keep them away from
01:56:35 10 men first, because they would be, you know,
01:56:42 11 more likely to commit violent crime than
01:56:48 12 women.

01:56:49 13 And, you know, so in that sense, if
01:56:52 14 you were able to make sort of sex-based
01:56:55 15 differentiations, you would be more tolerant
01:56:59 16 in allowing women to have access to handguns
01:57:03 17 than you would to men, but that's probably
01:57:09 18 not constitutionally permissible.

01:57:12 19 And so you're sort of stuck with a
01:57:17 20 more equal approach. And so the harmful
01:57:23 21 behavior of the men probably ends up
01:57:30 22 influencing public policy in a way that will
01:57:32 23 impact on women as well.

24 BY MR. PATTERSON:

01:57:34 25 Q. Let me ask about that.